

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID PADILLA,

Defendant.

CASE NO. 24-79-KKE

DETENTION ORDER

The Court has conducted a detention hearing under 18 U.S.C. § 3142(f) and concludes there are no conditions which the defendant can meet which would reasonably assure the defendant's appearance as required or the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

Defendant is charged with conspiracy to distribute controlled substances, and there is thus a presumption that he is both a flight risk and a danger to the community. The Court finds Defendant has not overcome this presumption and shall be detained.

Defendant contends he should be released because he is a United States citizen; has lived in Western Washington for many years; has numerous supportive relatives living in the area and has employment opportunities with several relatives. Defendant also claims he has poor vision, and the lack of contact lens cleaning fluids is causing him eye infections.

1 Defendant's ties to the community and family support are positive factors. However,
2 these positive factors are outweighed by numerous negative factors. First, Defendant has not
3 worked since November 2023 and appears to have substance use problems. Second, Defendant is
4 charged with an offense that carries a mandatory minimum of ten years of imprisonment if he is
5 convicted as charged. This lengthy term of imprisonment provides ample reason to flee. Third,
6 the evidence against Defendant appears strong. The government proffers wiretap evidence
7 establishes Defendant was engaged in drug trafficking activities with his co-defendants. Fourth,
8 the size and scope of the alleged drug trafficking conspiracy is extremely large. The conspiracy
9 occurred over many months, spanned from Mexico along the west-coast and into Washington,
10 and involved numerous individuals. Defendant's position in this conspiracy is described as a
11 higher-level redistributor based upon the amounts of drugs Defendant discussed purchasing from
12 others involved in this case. Fifth, Defendant was convicted of driving under the influence and
13 unlawful possession of a firearm in 2022. Despite these convictions and being on probation,
14 Defendant allegedly engaged in large-scale drug trafficking. Defendant's actions are in violation
15 of the conditions of probation which include not possessing controlled substances; not
16 associating with drug users or sellers and having no law violations. And sixth, although
17 Defendant is a United States citizen, his travel and movement indicate he is a flight risk. The
18 government proffered that Defendant was in Mexico based upon phone calls that were made
19 regarding drug trafficking activity and GPS evidence. Defendant was apprehended in Oregon
20 after allegedly tossing his cellphone and heading south. Defendant engaged in these actions after
21 learning others had been arrested in Washington and his actions indicate he was attempting to
22 flee or avoid prosecution.

23 It is therefore **ORDERED**:

1 (1) Defendant shall be detained pending trial and committed to the custody of the
2 Attorney General for confinement in a correctional facility separate, to the extent practicable,
3 from persons awaiting or serving sentences, or being held in custody pending appeal;

4 (2) Defendant shall be afforded reasonable opportunity for private consultation with
5 counsel;

6 (3) On order of a court of the United States or on request of an attorney for the
7 Government, the person in charge of the correctional facility in which Defendant is confined
8 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
9 connection with a court proceeding; and

10 (4) The Clerk shall provide copies of this order to all counsel, the United States
11 Marshal, and to the United States Probation and Pretrial Services Officer.

12 DATED this 5th day of July, 2024.

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16 BRIAN A. TSUCHIDA
17 United States Magistrate Judge
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